

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MICHAEL MARTINEZ,)	
Plaintiff,)	
)	
vs.)	Case No. 4:01 CV580
)	
CITY OF ST. LOUIS, et al.,)	
Defendants.)	
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ERIC DEEKEN,)	
Plaintiff,)	
)	
vs.)	Case No. 4:01 CV1770
)	
CITY OF ST. LOUIS, et al.)	
Defendants.)	

ORDER

The Court has reviewed the Judgment in this case of March 22, 2006 (Doc. 255), and the Motion of Plaintiff Martinez to Amend Judgment (Doc. 259). The Court's Judgment did not reflect the stipulation of the parties submitted at the time of trial: first, that Martinez would have earned \$174,642.09 between March 13, 2000 and March 21, 2005 as a probationary fire private and fire private with the City of St. Louis. Second, that Martinez actually earned \$134,581.00 during that same period in his position as a tree trimmer and then a forestry foreman with the City. The difference between the wages Martinez earned in the forestry division and the wages he would have earned with the fire department was \$40,061.09.

The Court has previously found that the City should have hired Plaintiff Martinez on March 13, 2000. Therefore, Martinez is entitled to an award of damages in the amount of his lost wages.

The Court hereby **AMENDS** its judgment of March 22, 2006, in accordance with Federal Rule of Civil Procedure 60(a), and **ORDERS** that Plaintiff Martinez be awarded an additional sum of \$40,061.09 for lost wages.

So ORDERED.



JOHN F. NANGLE
UNITED STATES DISTRICT JUDGE

Date: MAY 26, 2006